

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**In re:** : **Chapter 7**  
**ARTHUR HERRING, III,** : **Case No. 20-12141 MDC**  
**Debtor**

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**STIPULATION OF SETTLEMENT BY AND BETWEEN BONNIE B. FINKEL,  
CHAPTER 7 TRUSTEE, ARTHUR HERRING III, DEBTOR, AND NITV FEDERAL  
SERVICES, LLC TO RELEASE FUNDS HELD BY HARLEYSVILLE BANK**

This Stipulation, made and entered into as of this \_\_\_\_ day of March, 2021, is entered into by and between Bonnie B. Finkel (“Trustee”), the Chapter 7 Trustee for the estate of Arthur Herring III (“Debtor”), the Debtor, and NITV Federal Services, LLC (“NITV”) through their counsel (and all together referred to as the “Parties”):

1. On or about April 28, 2020, the Debtor filed a voluntary Bankruptcy Petition under Chapter 7 of Title 11 of the United States Code.
2. On or about April 28, 2020, Bonnie B. Finkel was appointed as Trustee of the Debtor’s case, which appointment remains in effect.
3. On June 16, 2020, the First Meeting of Creditors was held, at which time and thereafter, Trustee requested additional information regarding the value of potential assets, including the whereabouts and value of uncashed cashier’s checks drawn from Harleysville Bank, along with the ownership and amounts contained in various bank accounts held solely, or jointly, in the names of Debtor, his mother, sister, and/or Dektor Corporation as well as a safe deposit box at the same bank in the name of his mother, Debtor, and his sister.
4. The Trustee was informed that pre-petition, due to previous litigation in Florida with NITV, wherein NITV obtained a Judgment against Debtor and Dektor Corporation, NITV obtained a Writ of Execution that was issued to Garnishee Harleysville Bank.

5. NITV then issued Interrogatories in Attachment to Harleysville Bank which asked Harleysville to identify (among other things) any accounts being held in Debtor or Dektor Corporation's names.
6. On February 12, 2020, Harleysville filed its responses to NITV's Interrogatories in Attachment, identifying 1) Garnishee Bank as obligor on six official bank checks titled in the name of "Arthur Herring III"; and 2) several bank accounts and a safe deposit box held in the name of Dektor Corp, or Debtor, and/or Debtor and at least one other individual. (See attached Exhibit "A").
7. To this date, due to the filing of the Bankruptcy Petition and the garnishment action, Harleysville regards all such monies as "frozen" and remains in control of all the bank checks and bank accounts and safe deposit box that it identified, subject to a Court Order requiring release of said monies and accounts.
8. On or about December 22, 2020, Debtor filed a Motion to Release Debtor's Mother's Safe Deposit Box and Savings Account at Harleysville.
9. On or about February 8, 2021, NITV filed a Memorandum in Opposition to Debtor's Motion to Release Mother's Safe Deposit Box and Savings Account.
10. The Trustee, Debtor, and NITV counsel have engaged in lengthy discussion and negotiation regarding the disposition of all the monies and safe deposit box that continue to be held by Harleysville Bank, and the Parties have arrived at a settlement of their disputes.

THEREFORE, INTENDING TO BE LEGALLY BOUND, THE PARTIES, AND EACH OF THEM, AGREE AS FOLLOWS:

1. Upon review and approval of this Stipulation by the Court, Harleysville Bank shall do the following within one week of receipt of a Court Order:

a). Harleysville shall release the balance of the checking account titled in the name of Dektor Corporation, having an account number ending with the last four digits of x8311, to NITV c/o their counsel, Daniel DeSouza Esq., DeSouza Law, P.A., 3111 No. University Drive, Suite 301, Coral Springs, Florida 33065.

b). Harleysville shall release to the Trustee all monies wherein the bank was the obligor to official bank checks held by Arthur Herring III and which checks were never cashed. Said monies shall be sent to Bonnie Finkel, Trustee, at P.O. Box 1710, Cherry Hill, New Jersey 08034.

c). Harleysville shall release to the Trustee at the above address, the balance in two checking accounts in the name of Debtor and another individual, having an account number ending with the last four digits of x3378 and x3499.

d). Harleysville shall release the hold on Debtor's Mother's Safe Deposit Box, having an account number ending with the last four digits of x5763 and only allow the signatories on the account access to that Safe Deposit Box.

e). Harleysville shall release the hold on the checking account of Debtor's Mother, Jane Herring, which is the account number ending in the last four digits of x7371. Only Jane Herring or the other two signatories may access the account as before the garnishment took hold.

2. Considering the costs and time spent on continuing litigation, the parties believe this Stipulation of Settlement regarding the monies held by Harleysville Bank to be fair and reasonable and in the best interests of the Estate and the Parties.

3. The Parties each acknowledge that this Stipulation is subject to Court Approval and is in full settlement of the dispute regarding the bank accounts and safe deposit box held by Harleysville Bank as described above.

4. The Parties agree that each party, and where applicable his/her counsel, has reviewed this Stipulation, and that each fully understands and voluntarily accepts all of the provisions contained therein.

5. This Stipulation sets forth the entire agreement between the Parties and fully supersedes any and all prior agreements and understandings, written or oral, between the Parties pertaining to this matter.

6. This Stipulation may be executed in one or more counterparts, including by facsimile, each of which shall be deemed an original, but all of which together constitute one and the same instrument.

Dated: 3/2, 2021

By: Bonnie B. Finkel  
Bonnie B. Finkel, Esq.  
Chapter 7 Trustee

Dated: 3/2, 2021

By: Daniel DeSouza  
Daniel DeSouza, Esq.  
Counsel for NITV

Dated: \_\_\_\_\_, 2021

By: \_\_\_\_\_  
Arthur Herring III, Debtor  
Pro Se

Dated: \_\_\_\_\_, 2021

By: \_\_\_\_\_  
Bonnie B. Finkel, Esq.  
Chapter 7 Trustee

Dated: \_\_\_\_\_, 2021

By: \_\_\_\_\_  
Daniel DeSouza, Esq. .  
Counsel for NITV

Dated: 3/1, 2021

By: Arthur Herring III  
Arthur Herring III, Debtor  
Pro Se